

REMARKS

Status of Claims

Claims 1-20 are pending, of which claims 1 and 11 are independent.

Rejection under 35 U.S.C. § 103(a)

Claims 1-2, 6, 9, 11-12, 16 and 19 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Enoki et al. in view of Lui (“Interoperability of Peer-To-Peer File Sharing Protocols”, ACM SIGecom Exchanges, Vol. 3, No. 3, August 2002, pages 25-33), and further in view of Goodman et al. (U.S. Publication No. 2003/0177246 A1). Claims 3, 4, 7-8, 10, 13, 14, 17-18 and 20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Enoki et al. in view of Lui, and Goodman et al. and further in view of Yang B (“Comparing Hybrid Peer-To-Peer Systems”). These rejections are traversed for at least the following reasons.

Applicants respectfully submit that, at a minimum, none of the cited references discloses or even suggests a server transmitting unit included in a server, as recited by claim 1 or sending the network address of the second terminal device in processing a server, as recited by claim 11. In rejecting claim 1, the Examiner admits that Enoki and Lui do not explicitly disclose a server transmitting unit of claim 1, and relies on Goodman asserting that Goodman discloses the claimed server transmitting unit at paragraph [0031] and Fig. 4. Applicants disagree.

According to paragraph [0031] of Goodman, a server appears to send “a seed list” (i.e. a list of IP addresses) to the connected clients. This may include that an address of a client having no resource is sent to the other client having a resource. However, the address of the client is sent to the other clients regardless of whether the other clients have a resource or not. According to paragraph [0031] of Goodman, each client first “announces itself” to the server, and the server

sends a seed list to all the connected clients. Accordingly, Goodman does not disclose sending the network address of one client (i.e. the claimed second terminal device) to the other client (the claimed first terminal device) when the first terminal device retains the multimedia information, or sending the network address of the first terminal device to the second terminal device when the second terminal device retains the multimedia information.

In addition, the Examiner appears to consider that Goodman's processes in connection with "Search and Get request" shown in FIG. 4 correspond to processes of the claimed server transmitting unit. However, the Goodman's processes are not performed by the server, but performed by the client. In Goodman, a client with no resource searches for the client(s) with a resource and sends its own address to the searched client(s) directly, i.e., without utilizing the server. According to the Goodman's technique, a client having multimedia information cannot send the multimedia information to the other client.

In contrast, in the present disclosure, the processes are performed by the server transmitting unit included in the "server." The network address of the second terminal device can be sent to the first terminal device through the network control device of the server, thereby the multimedia information is transmitted, received and shared between the first and second terminal devices. It is clear that Goodman, even combined with the remaining cited references, fails to disclose the above identified features of claims 1 and 11, and it would not have been obvious to add these features to any combination of the cited references.

Accordingly, Applicants respectfully submit that claims 1 and 11 and all claims dependent thereon are patentable over the cited references. Thus, Applicants respectfully request that the Examiner withdraw the rejections of claims 1-20 under 35 U.S.C. § 103(a).

CONCLUSION

Having fully responded to all matters raised in the Office Action, Applicants submit that all claims are in condition for allowance, an indication for which is respectfully solicited. If there are any outstanding issues that might be resolved by an interview or an Examiner's amendment, the Examiner is requested to call Applicants' attorney at the telephone number shown below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP



Takashi Saito
Limited Recognition No. L0123

600 13th Street, N.W.
Washington, DC 20005-3096
Phone: 202.756.8000 MEF:TS:MaM
Facsimile: 202.756.8087
Date: April 27, 2010

**Please recognize our Customer No. 53080
as our correspondence address.**